

House File 2141 - Introduced

HOUSE FILE 2141

BY MASCHER

A BILL FOR

1 An Act relating to the prescribing of medications to treat the
2 symptoms of erectile dysfunction, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 146B.1 Prerequisites for
2 prescription to treat erectile dysfunction.

3 1. No person, other than a physician, shall issue to
4 a patient a prescription for a drug intended to treat the
5 symptoms of erectile dysfunction.

6 2. Prior to issuing a prescription for a drug intended to
7 treat the symptoms of erectile dysfunction, a physician shall
8 do all of the following:

9 a. Require at least one of the patient's sexual partners to
10 be interviewed by the physician and to certify that the patient
11 has experienced symptoms of erectile dysfunction in the ninety
12 days preceding the date of the interview.

13 b. Refer the patient to a person licensed to practice mental
14 health counseling pursuant to chapter 154D for an assessment
15 of the possible causes of the patient's symptoms of erectile
16 dysfunction and require the patient to provide a written report
17 in which the counselor concludes that the patient's symptoms
18 are not solely attributable to one or more psychological
19 conditions.

20 c. Conduct a cardiac stress test and obtain a result,
21 described in writing, indicating that the patient's cardiac
22 health is compatible with sexual activity.

23 d. Notify the patient, in writing, of the potential risks
24 and complications associated with taking drugs intended
25 to treat erectile dysfunction and obtain the patient's
26 signature on a form acknowledging the patient's receipt of the
27 notification.

28 e. Declare, in writing, under penalty of perjury, that the
29 drug the physician is prescribing is necessary to treat the
30 patient's symptoms of erectile dysfunction and attach to the
31 declaration a statement that clearly describes the physician's
32 medical rationale for issuing the prescription.

33 f. Place all documents described in this subsection 2 in the
34 patient's medical record and retain the documents as part of
35 that record for at least seven years.

1 than a physician, shall issue to a patient a prescription for
2 a drug intended to treat symptoms of erectile dysfunction.
3 The bill specifies that prior to issuing a prescription for a
4 drug intended to treat the symptoms of erectile dysfunction,
5 a physician shall do all of the following: (1) require that
6 at least one of the patient's sexual partners be interviewed
7 by the physician and certify that the patient has experienced
8 symptoms of erectile dysfunction in the 90 days preceding
9 the date of the interview; (2) refer the patient to a person
10 licensed to practice mental health counseling for an assessment
11 of the possible causes of the patient's symptoms of erectile
12 dysfunction and require the patient to provide a written report
13 in which the counselor concludes that the patient's symptoms
14 are not solely attributable to one or more psychological
15 conditions; (3) conduct a cardiac stress test and obtain a
16 result, described in writing, indicating that the patient's
17 cardiac health is compatible with sexual activity; (4)
18 notify the patient, in writing, of the potential risks and
19 complications associated with taking drugs intended to treat
20 erectile dysfunction and obtain the patient's signature on a
21 form acknowledging the patient's receipt of the notification;
22 (5) declare, in writing, under penalty of perjury, that the
23 drug the physician is prescribing is necessary to treat the
24 patient's symptoms of erectile dysfunction and attach to the
25 declaration a statement that clearly describes the physician's
26 medical rationale for issuing the prescription; and (6) place
27 all such documents in the patient's medical record and retain
28 the documents as part of that record for at least seven years.

29 Additionally, in order to ensure the continued health
30 of a patient to whom a prescription for a drug intended to
31 treat the symptoms of erectile dysfunction has been issued, a
32 physician is required, as a part of the course of treatment for
33 the patient, including treatment rendered by issuing to the
34 patient a prescription authorizing one or more refills for the
35 drug originally prescribed or a prescription for another drug

1 intended to treat the symptoms of erectile dysfunction, to both
2 require the patient to undergo a cardiac stress test every 90
3 days while the patient is taking the drug to ensure that the
4 patient's cardiac health continues to be compatible with sexual
5 activity, and require the patient to attend three sessions of
6 outpatient counseling within the period of six months after
7 the drug is initially prescribed for purposes of ensuring
8 the patient's understanding of the dangerous side effects of
9 drugs intended to treat the symptoms of erectile dysfunction.
10 The physician is required to ensure these sessions include
11 information on nonpharmaceutical treatments for erectile
12 dysfunction, including sexual counseling and resources for
13 patients to pursue celibacy as a viable lifestyle choice.
14 The bill also provides that failure of a physician to comply
15 with the requirements specified regarding prescribing of drugs
16 intended to treat the symptoms of erectile dysfunction and the
17 courses of treatment for patients receiving prescriptions for
18 those drugs, is grounds for licensee discipline.